

MINUTES
FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT
6:00 P.M., THURSDAY EVENING, OCTOBER 8, 2009, CITY COUNCIL CHAMBERS
#2 CIVIC CENTER PLAZA – 2ND FLOOR

All matters listed under the Consent Agenda below will be considered by the Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Commission or persons in the audience request specific items be removed from the Consent agenda to the Regular Agenda for discussion prior to the time the Commission votes on the motion to adopt the Consent Agenda.

MEMBERS PRESENT: Pleters, Michael – Chair
 Boureslan, Ali
 Chacon, Fernando
 Karlsruher, Eileen
 Medina, Larry
 Sustaita, Jessie
 Turner, Marcia
 Viescas, Cora

MEMBERS ABSENT: None

The meeting convened at 6:02 p.m. with seven Commissioners present and Chair Pleters presiding. Chair Pleters asked CSC Secretary Linda Thomas if there were any changes to Agenda. Ms Thomas stated Item 5A applicant withdrew his appeal.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

August 6, 2009 (Special Meeting)
August 13, 2009

2. Notation-Assignment of Hearing Officer to the following Appeal:

Andy Garzon-Water Department-Termination-Patricia Palafox

MOTION TO APPROVE CONSENT AGENDA WITH CHANGES TO WITHDRAW ITEM 5A MADE BY COMMISSIONER MEDINA AND SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.

REGULAR AGENDA

3. Discussion reference KVIA Reporters Darren Hunt and Rick Dupont incident with Sgt. Raul Ramirez about information discussing authority how it applies to CSC requested by Commissioner Chacon.

Discussion by Commissioner Chacon, Assistant City Attorney John Batoon.

FIRST MOTION TO DELETE MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

SECOND MOTION TO STRIKE AND RECONSIDER THE DELETION OF ITEM 3 MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER BOURES LAN.

AYES: TURNER, SUSTAITA, MEDINA, CHACON, BOURES LAN, VIESCAS

NAYES: KARLSRUHER

ITEM 3 NOT DELETED. NO ACTION TAKEN.

4. Discussion and Action on Performance Evaluation Sub-Committee Report and Recommendation:

Marcus C. Baeza – El Paso Water Utilities Department

Discussion by Commissioner Pleters.

MOTION TO APPROVE SUB-COMMITTEE'S RECOMMENDATION TO DENY APPEAL MADE BY COMMISSIONER VIESCAS AND SECONDED BY COMMISSIONER SUSTAITA AND UNANIMOUSLY PASSED.

5. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.1:

A. Espinoza, Robert Thomas– Certified Firefighter Trainee

ITEM 5A WITHDRAWN BY APPELLANT

B. Perez, Diego Armando – Certified Firefighter Trainee

Discussion by Appellant Diego Perez, HR Director Linda Thomas, Chair Pleters, Commissioner Boureslan, Senior HR Analyst Dave Rogers, and Commissioner Viescas.

MOTION TO DENY MADE BY COMMISSIONER BOURES LAN AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER BOURES LAN AND SECONDED BY COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.

Executive session convened at 6:16 p.m.

The Civil Service Commission may retire into Executive Session pursuant to Civil Service Commission Rule 1, Section 11(a) and the Texas Government Code, Section 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Commission may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.). The Commission will return to open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.074 PERSONNEL MATTERS

**MOTION TO RECONVENE TO OPEN SESSION MADE BY COMMISSIONER SUSTAITA AND
SECONDED BY COMMISSIONER BOURESLAN AND UNANIMOUSLY PASSED.**

Reconvened to open session at 6:54 p.m.

6. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.2:

Hernandez, Luz M. – Toll Collector

**MOTION TO DENY MADE BY COMMISSIONER VIESCAS AND SECONDED BY
COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.**

7. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.f:

A. Fuentes, Daniel Jr. – Coach Operator

**MOTION TO APPROVE MADE BY COMMISSIONER VIESCAS AND SECONDED BY
COMMISSIONER SUSTAITA AND PASSED BY A VOTE OF 6 TO 1.**

AYES: TURNER, SUSTAITA, MEDINA, CHACON, KARLSRUHER, VIESCAS
NAYES: BOURESLAN

B. Lucero, Armando – Coach Operator

**MOTION TO APPROVE MADE BY COMMISSIONER BOURESLAN AND SECONDED BY
COMMISSIONER MEDINA AND UNANIMOUSLY PASSED.**

C. Robles, Benito – Coach Operator

**MOTION TO APPROVE MADE BY COMMISSIONER SUSTAITA AND SECONDED BY
COMMISSIONER CHACON AND PASSED BY A VOTE OF 5 TO 2.**

AYES: TURNER, SUSTAITA, MEDINA, CHACON, KARLSRUHER
NAYES: BOURESLAN, VIESCAS

8. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 12 Section 9:

Villa, Marc Anthony – Fleet Maintenance Technician

**MOTION TO APPROVE MADE BY COMMISSIONER CHACON AND SECONDED BY SUSTAITA
AND PASSED BY A VOTE OF 5 TO 2.**

AYES: TURNER, SUSTAITA, MEDINA, CHACON, VIESCAS
NAYES: BOURESLAN, KARLSRUHER

9. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 15 Section 5:

Gonzalez, Cesar – Toll Collector

FIRST MOTION TO APPROVE MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER SUSTAITA. FIRST MOTION FAILS BY VOTE OF 2 TO 4 WITH ONE ABSTENTION.

AYES: SUSTAITA, CHACON

NAYES: TURNER, MEDINA, KARLSRUHER, VIESCAS

ABSTAIN: BOURESAN

SECOND MOTION TO DENY MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER MEDINA AND PASSED BY A VOTE OF 5 TO 2.

AYES: TURNER, MEDINA, BOURESAN, KARLSRUHER, VIESCAS

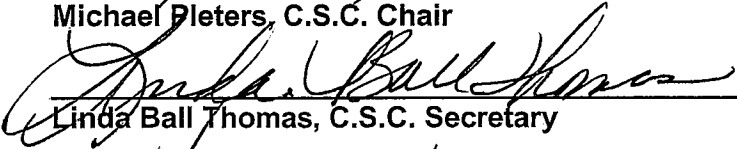
NAYES: SUSTAITA, CHACON

MOTION TO ADJOURN MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

MEETING ADJOURNED AT 6:57 P.M.



Michael Pleters, C.S.C. Chair



Linda Ball Thomas, C.S.C. Secretary

NOVEMBER 12, 2009

Date Approved